

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

FX Aviation Capital, LLC,

Plaintiff,

vs.

Hector Guerrero, Mark Liker, Anatoly
Galunov, Stratus Aircraft, n/k/a Airlux
Aircraft, Inc., LG Aviation, Inc.,

Defendants.

C.A. No. 6:22-1254-HMH

ORDER

This action is based in whole or in part on the Racketeer Influenced and Corrupt Organizations Act ("RICO") codified at 18 U.S.C. § 961 *et seq.* Such claims tend to expand the scope of a given case, increase discovery, lead to numerous time-consuming and costly motions to dismiss, and hinder possible settlement of litigation. This order is not intended to minimize valid claims or to render their prosecution more difficult. Rather, it is intended to assist the parties and the court in separating those claims which are arguably meritorious from those which patently are not.

Therefore, it is hereby

ORDERED that plaintiff shall file, within 25 days of the date of this order, a RICO case statement. This statement shall include the facts upon which plaintiff relies to initiate its RICO claim(s), as a result of the "reasonable inquiry" required by Fed. R. Civ. P. 11. In particular, this statement shall use the numbers and letters set forth in the attached form entitled "RICO Case Statement." Each interrogatory shall be set forth immediately prior to the answer thereto. The statement shall set forth in detail and with specificity the information requested in the form. The court shall construe the RICO case statement as an amendment to the pleadings. Failure to comply with the provisions of this order subjects the case to dismissal.

It is further hereby

ORDERED that counsel for plaintiff serve a copy of the RICO case statement on all parties.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.

Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 24, 2022